

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS AT KANSAS CITY

RELIASTAR LIFE INSURANCE COMPANY

Plaintiff

vs.

Civil Action

Case No. 06-2486-CM-DJW

ALESIA WARRIOR, et al.

Defendants.

PROTECTIVE ORDER

Now on this 6th day of September, 2007, this Order is entered pursuant to the provisions of Rule 26(c), F.R.Civ.P and pursuant to the Court's Memorandum and Order of September 7, 2007 (doc. 41). Defendant and Cross-Claimant Annette Conde appears by her attorney, David P. Calvert. Defendant Alesia Warrior appears by her attorney, Don Vasos; plaintiff appears by Lee Baty.

Conde seeks to obtain information and criminal investigation records from the law enforcement agencies and the District Attorney of Wyandotte County, Kansas, relating to the investigation of the homicide of Jeremy Warrior. The records are necessary in light of the allegation of the defendant Annette Conde as Guardian of A. W., minor child of Jeremy Warrior, deceased, that the defendant Alesia Warrior was feloniously participated in the murder of Jeremy Warrior, and the Wyandotte County District Attorney advises that Alesia Warrior continues to be a suspect in that murder.

"Criminal investigation records" means records of an investigatory agency or criminal justice agency as defined by K.S.A. 22-4701 and amendments thereto, compiled in the process of preventing, detecting or investigating violations of criminal law.

The Court hereby orders that such “criminal investigation records” shall only be produced under the terms of this Protective Order. This Order applies to all documents or information from criminal investigation records produced by the law enforcement agencies and the District Attorney of Wyandotte County, Kansas.

1. No documents or information shall be disclosed which are documents or information relating to current investigation strategies.

2. All documents contained or information disclosed from said records shall be revealed only to counsel of record in this case and the paralegals, law clerks and clerical/secretarial employees under counsel's direct supervision and expert witnesses.

3. Counsel for the parties shall use all documents and information produced or disclosed by the District Attorney and law enforcement agencies solely for the purposes of preparation for and trial of this action. Under no circumstance shall information or materials covered by this protective order be disclosed to anyone other than counsel of record in this action, the paralegals, law clerks and clerical/secretarial employees under counsel's direct supervision, expert witnesses, and the Court.

4. No documents or information protected by this Order shall be disclosed to any news, television, journalism or other media.

5. Any party desiring to file confidential materials under seal must first file a motion with the Court and be granted leave to file the particular document under seal.

6. This Order shall be binding upon the parties, their attorneys and the attorneys’ partners, associates and employees, expert witnesses, and any subsequent attorneys for the parties.

7. Within thirty days after final resolution of this litigation, the parties’ attorneys shall make reasonable efforts to collect all copies of all documents covered by this Order and all

abstracts, summaries, charges, diagrams, graphs and any other documents containing information obtained from the documents covered by this Order and shall return the collected material, without making copies, to the producing party.

The entry of this Protective Order is not intended and should not be construed in any way to waive any of the privileges and rights of the parties regarding any of the documents covered by this Order, and the parties each reserve the right to petition the Court to modify this Protective Order in any respect.

IT IS SO ORDERED.

Dated: 9/7/2007

s/ David J. Waxse
David J. Waxse
U. S. Magistrate Judge